

AMENDED IN ASSEMBLY JULY 2, 2013

AMENDED IN SENATE MAY 6, 2013

AMENDED IN SENATE APRIL 9, 2013

SENATE BILL

No. 27

Introduced by Senator Correa

December 3, 2012

An act to amend Section 9084 of the Elections Code, and to amend Sections 82015 and 88001 of, and to add Sections 84222 and 84223 to, the Government Code, relating to the Political Reform Act of 1974.

LEGISLATIVE COUNSEL'S DIGEST

SB 27, as amended, Correa. Political Reform Act of 1974.

Existing law, the Political Reform Act of 1974, provides for the comprehensive regulation of campaign financing, including requiring the reporting of campaign contributions and expenditures, as defined, and imposing other reporting and recordkeeping requirements on campaign committees, as defined. The Fair Political Practices Commission administers and enforces the act. A violation of the act's provisions is punishable as a misdemeanor.

This bill would revise the definition of a "contribution" to include payments made by a donor who, at the time of making the payment, knows or has reason to know that the payment, or funds with which the payment will be commingled, may be used to make contributions or expenditures. The bill would establish a presumption that a donor to a nonprofit or other multipurpose organization, as defined, has reason to know that a payment may be used to make contributions or expenditures, *and that the payment would be reported by the organization*, if specified criteria are satisfied, including, among other things, that the organization

has made contributions or expenditures ~~of \$1,000 or more in the aggregate in specified amounts~~ during the calendar year in which the payment occurs or during any of the immediately preceding 4 calendar years.

This bill would impose reporting requirements on specified nonprofit or other multipurpose organizations, including the requirement that the organizations disclose the portion of their activities devoted to California elections and specified information regarding the sources of an organization's funds used to make those contributions and expenditures, such as donors and dues-paying members.

This bill would require *state* ballot measure committees and *state* candidate committees that raise \$1,000,000 or more for an election to maintain an accurate list of the committee's top 10 contributors. This bill would require a committee to provide accurate lists of these contributors to the Commission, and would require the Commission to post the top 10 contributor lists on its Internet Web site, *as specified*, and to post updates to those lists when prescribed events occur. The bill would require the Commission to provide copies of the top 10 contributor lists to the Secretary of State, at the Secretary of State's request, for purposes of posting those lists on the Secretary of State's Internet Web site.

Existing law requires the Secretary of State to prepare a ballot pamphlet that includes specified information with respect to an election.

This bill would require the Secretary of State to include in the ballot pamphlet a written explanation of the top 10 contributor lists required by the bill, including a description of the Internet Web sites where those lists would be available to the public.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes upon a $\frac{2}{3}$ vote of each house and compliance with specified procedural requirements.

This bill would declare that it furthers the purposes of the act.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

(a) Nonprofit and other multipurpose organizations ~~within and outside the state, including out of state organizations~~, are increasing their political activities ~~and some are seeking to make contributions and expenditures in California elections without revealing their financial backers. Wealthy individuals and other deep-pocketed interests should not be able to spend anonymously in California elections by contributing to these groups. Nonprofit organizations and other advocacy groups should not be used as intermediaries to conceal the identities of donors who are required to be disclosed to the public pursuant to the Political Reform Act of 1974. in California, and it is important to clarify how disclosure requirements apply to these organizations to ensure that the public receives the required information in an accurate, timely, and transparent manner.~~

(b) ~~The Political Reform Act of 1974 should be strengthened to require nonprofit and other multipurpose organizations that make contributions or expenditures to support or oppose California candidates or ballot measures to disclose the sources of funds used for their political contributions and expenditures, just as committees that raise funds specifically for California elections must. This disclosure should be limited to the extent of the group's political activity in California. The Ninth Circuit Court of Appeals, in California Pro-Life Council, Inc. v. Randolph (9th Cir. 2007) 507 F.3d 1172, upheld the disclosure of a nonprofit or other multipurpose organization's political activities, as required by regulations of the Fair Political Practices Commission.~~

(c) The disclosure of donors to nonprofit or other multipurpose organizations that make contributions or expenditures to support or oppose California candidates and ballot measures serves the following important purposes:

(1) It provides the electorate with information as to where campaign money comes from, increasing its ability to identify the supporters of a candidate or ballot measure.

(2) It deters actual corruption and avoids the appearance of corruption by ~~exposing large~~ *providing increased transparency of*

1 contributions and expenditures to the light of publicity.
2 expenditures.

3 (3) It is an important means of gathering the information
4 necessary to detect violations of the Political Reform Act of 1974.

5 ~~(4) It prevents people and organizations from being able to mask~~
6 ~~their identities by pretending to make contributions for, or to be~~
7 ~~formed for, a nonpolitical purpose.~~

8 (d) The people of California have a compelling interest in
9 receiving clear and easy to use information about who is financing
10 state ballot measures and candidate independent expenditure
11 committees. ~~Committees themselves are in the best position to~~
12 ~~provide the public with information about their top 10 financial~~
13 ~~backers in an accurate, timely, and transparent manner.~~

14 (e) It is therefore the intent of the Legislature to strengthen the
15 laws requiring the disclosure of contributions and expenditures in
16 California elections by nonprofit and other multipurpose
17 organizations and to require committees that raise or spend one
18 million dollars (\$1,000,000) or more to support or oppose state
19 ballot measures or make independent expenditures on behalf of a
20 state candidate to disclose a list of their top 10 contributors on
21 the Internet Web site of the Fair Political Practices Commission.

22 SEC. 2. Section 9084 of the Elections Code is amended to read:

23 9084. The ballot pamphlet shall contain all of the following:

24 (a) A complete copy of each state measure.

25 (b) A copy of the specific constitutional or statutory provision,
26 if any, that each state measure would repeal or revise.

27 (c) A copy of the arguments and rebuttals for and against each
28 state measure.

29 (d) A copy of the analysis of each state measure.

30 (e) Tables of contents, indexes, art work, graphics, and other
31 materials that the Secretary of State determines will make the ballot
32 pamphlet easier to understand or more useful for the average voter.

33 (f) A notice, conspicuously printed on the cover of the ballot
34 pamphlet, indicating that additional copies of the ballot pamphlet
35 will be mailed by the county elections official upon request.

36 (g) A written explanation of the judicial retention procedure as
37 required by Section 9083.

38 (h) The Voter Bill of Rights pursuant to Section 2300.

39 (i) If the ballot contains an election for the office of United
40 States Senator, information on candidates for United States Senator.

1 A candidate for United States Senator may purchase the space to
2 place a statement in the state ballot pamphlet that does not exceed
3 250 words. The statement may not make any reference to any
4 opponent of the candidate. The statement shall be submitted in
5 accordance with timeframes and procedures set forth by the
6 Secretary of State for the preparation of the state ballot pamphlet.

7 (j) If the ballot contains a question on the confirmation or
8 retention of a justice of the Supreme Court, information on justices
9 of the Supreme Court who are subject to confirmation or retention.

10 (k) If the ballot contains an election for the offices of President
11 and Vice President of the United States, a notice that refers voters
12 to the Secretary of State's Internet Web site for information about
13 candidates for the offices of President and Vice President of the
14 United States.

15 (l) A written explanation of the appropriate election procedures
16 for party-nominated, voter-nominated, and nonpartisan offices as
17 required by Section 9083.5.

18 (m) A written explanation of the top 10 contributor lists required
19 by Section 84223 of the Government Code, including a description
20 of the Internet Web sites where those lists are available to the
21 public.

22 SEC. 3. Section 82015 of the Government Code is amended
23 to read:

24 82015. (a) "Contribution" means a payment, a forgiveness of
25 a loan, a payment of a loan by a third party, or an enforceable
26 promise to make a payment except to the extent that full and
27 adequate consideration is received, unless it is clear from the
28 surrounding circumstances that it is not made for political purposes.

29 (b) (1) A payment made at the behest of a committee as defined
30 in subdivision (a) of Section 82013 is a contribution to the
31 committee unless full and adequate consideration is received from
32 the committee for making the payment.

33 (2) A payment made at the behest of a candidate is a contribution
34 to the candidate unless the criteria in either subparagraph (A) or
35 (B) are satisfied:

36 (A) Full and adequate consideration is received from the
37 candidate.

38 (B) It is clear from the surrounding circumstances that the
39 payment was made for purposes unrelated to his or her candidacy
40 for elective office. The following types of payments are presumed

1 to be for purposes unrelated to a candidate's candidacy for elective
2 office:

3 (i) A payment made principally for personal purposes, in which
4 case it may be considered a gift under the provisions of Section
5 82028. Payments that are otherwise subject to the limits of Section
6 86203 are presumed to be principally for personal purposes.

7 (ii) A payment made by a state, local, or federal governmental
8 agency or by a nonprofit organization that is exempt from taxation
9 under Section 501(c)(3) of the Internal Revenue Code.

10 (iii) A payment not covered by clause (i), made principally for
11 legislative, governmental, or charitable purposes, in which case it
12 is neither a gift nor a contribution. However, payments of this type
13 that are made at the behest of a candidate who is an elected officer
14 shall be reported within 30 days following the date on which the
15 payment or payments equal or exceed five thousand dollars
16 (\$5,000) in the aggregate from the same source in the same
17 calendar year in which they are made. The report shall be filed by
18 the elected officer with the elected officer's agency and shall be
19 a public record subject to inspection and copying pursuant to
20 subdivision (a) of Section 81008. The report shall contain the
21 following information: name of payor, address of payor, amount
22 of the payment, date or dates the payment or payments were made,
23 the name and address of the payee, a brief description of the goods
24 or services provided or purchased, if any, and a description of the
25 specific purpose or event for which the payment or payments were
26 made. Once the five-thousand-dollar (\$5,000) aggregate threshold
27 from a single source has been reached for a calendar year, all
28 payments for the calendar year made by that source must be
29 disclosed within 30 days after the date the threshold was reached
30 or the payment was made, whichever occurs later. Within 30 days
31 after receipt of the report, state agencies shall forward a copy of
32 these reports to the Fair Political Practices Commission, and local
33 agencies shall forward a copy of these reports to the officer with
34 whom elected officers of that agency file their campaign
35 statements.

36 (C) For purposes of subparagraph (B), a payment is made for
37 purposes related to a candidate's candidacy for elective office if
38 all or a portion of the payment is used for election-related activities.
39 For purposes of this subparagraph, "election-related activities"
40 shall include, but are not limited to, the following:

1 (i) Communications that contain express advocacy of the
2 nomination or election of the candidate or the defeat of his or her
3 opponent.

4 (ii) Communications that contain reference to the candidate's
5 candidacy for elective office, the candidate's election campaign,
6 or the candidate's or his or her opponent's qualifications for
7 elective office.

8 (iii) Solicitation of contributions to the candidate or to third
9 persons for use in support of the candidate or in opposition to his
10 or her opponent.

11 (iv) Arranging, coordinating, developing, writing, distributing,
12 preparing, or planning of any communication or activity described
13 in clause (i), (ii), or (iii).

14 (v) Recruiting or coordinating campaign activities of campaign
15 volunteers on behalf of the candidate.

16 (vi) Preparing campaign budgets.

17 (vii) Preparing campaign finance disclosure statements.

18 (viii) Communications directed to voters or potential voters as
19 part of activities encouraging or assisting persons to vote if the
20 communication contains express advocacy of the nomination or
21 election of the candidate or the defeat of his or her opponent.

22 (D) A contribution made at the behest of a candidate for a
23 different candidate or to a committee not controlled by the
24 behesting candidate is not a contribution to the behesting candidate.

25 (3) A payment made at the behest of a member of the Public
26 Utilities Commission, made principally for legislative,
27 governmental, or charitable purposes, is not a contribution.
28 However, payments of this type shall be reported within 30 days
29 following the date on which the payment or payments equal or
30 exceed five thousand dollars (\$5,000) in the aggregate from the
31 same source in the same calendar year in which they are made.
32 The report shall be filed by the member with the Public Utilities
33 Commission and shall be a public record subject to inspection and
34 copying pursuant to subdivision (a) of Section 81008. The report
35 shall contain the following information: name of payor, address
36 of payor, amount of the payment, date or dates the payment or
37 payments were made, the name and address of the payee, a brief
38 description of the goods or services provided or purchased, if any,
39 and a description of the specific purpose or event for which the
40 payment or payments were made. Once the five-thousand-dollar

1 (\$5,000) aggregate threshold from a single source has been reached
2 for a calendar year, all payments for the calendar year made by
3 that source must be disclosed within 30 days after the date the
4 threshold was reached or the payment was made, whichever occurs
5 later. Within 30 days after receipt of the report, the Public Utilities
6 Commission shall forward a copy of these reports to the Fair
7 Political Practices Commission.

8 (c) “Contribution” includes the purchase of tickets for events
9 such as dinners, luncheons, rallies, and similar fundraising events;
10 the candidate’s own money or property used on behalf of his or
11 her candidacy other than personal funds of the candidate used to
12 pay either a filing fee for a declaration of candidacy or a candidate
13 statement prepared pursuant to Section 13307 of the Elections
14 Code; the granting of discounts or rebates not extended to the
15 public generally or the granting of discounts or rebates by television
16 and radio stations and newspapers not extended on an equal basis
17 to all candidates for the same office; the payment of compensation
18 by any person for the personal services or expenses of any other
19 person if the services are rendered or expenses incurred on behalf
20 of a candidate or committee without payment of full and adequate
21 consideration.

22 (d) “Contribution” further includes any transfer of anything of
23 value received by a committee from another committee, unless
24 full and adequate consideration is received.

25 (e) “Contribution” does not include amounts received pursuant
26 to an enforceable promise to the extent those amounts have been
27 previously reported as a contribution. However, the fact that those
28 amounts have been received shall be indicated in the appropriate
29 campaign statement.

30 (f) “Contribution” does not include a payment made by an
31 occupant of a home or office for costs related to any meeting or
32 fundraising event held in the occupant’s home or office if the costs
33 for the meeting or fundraising event are five hundred dollars (\$500)
34 or less.

35 (g) Notwithstanding the foregoing definition of “contribution,”
36 the term does not include volunteer personal services or payments
37 made by any individual for his or her own travel expenses if the
38 payments are made voluntarily without any understanding or
39 agreement that they shall be, directly or indirectly, repaid to him
40 or her.

1 (h) “Contribution” further includes the payment of public
2 moneys by a state or local governmental agency for a
3 communication to the public that satisfies both of the following:

4 (1) The communication expressly advocates the election or
5 defeat of a clearly identified candidate or the qualification, passage,
6 or defeat of a clearly identified measure, or, taken as a whole and
7 in context, unambiguously urges a particular result in an election.

8 (2) The communication is made at the behest of the affected
9 candidate or committee.

10 (i) (1) “Contribution” further includes a payment made to a
11 person, including, but not limited to, a nonprofit or other
12 multipurpose organization as defined in Section 84222, if, at the
13 time of making the payment, the donor knows or has reason to
14 know that the payment, or funds with which the payment will be
15 commingled, may be used to make a contribution or expenditure
16 to support or oppose a California state or local candidate or ballot
17 measure. Contributions that satisfy the criteria of this subdivision
18 shall be reported in the manner prescribed by Section 84222.

19 (2) For purposes of paragraph (1), there shall be a presumption
20 that a donor to a nonprofit or other multipurpose organization has
21 reason to know that all or part of the payment may be used to make
22 a contribution or expenditure *and that disclosure of that payment*
23 *by the nonprofit or other multipurpose organization is required*
24 *pursuant to this title* if any of the following criteria are satisfied:

25 (A) The nonprofit or other multipurpose organization has
26 ~~made contributions~~ *made contributions* or expenditures ~~of one~~
27 ~~thousand dollars (\$1,000) or more in an amount~~, in the aggregate,
28 *equal to or greater than the amount specified in subdivision (a)*
29 *of Section 82013* during the calendar year in which the payment
30 occurs or during any of the immediately preceding four calendar
31 years.

32 (B) The nonprofit or other multipurpose organization makes
33 ~~payments~~ *an initial payment or payments* totaling five hundred
34 thousand dollars (\$500,000) or more for contributions or
35 expenditures in this state during the current calendar year.

36 (C) The nonprofit or other multipurpose organization has
37 disclosed contributions or expenditures to support or oppose
38 candidates or ballot measures, or for issue advocacy activities, in
39 this state on any publicly available annual or periodic report of its
40 activities, including Internal Revenue Service Form 990, filed with

1 a federal, state, or local government agency during the calendar
2 year in which the payment occurs or during any of the immediately
3 preceding four calendar years.

4 (D) The nonprofit or other multipurpose organization has a
5 sponsored committee registered with the Secretary of State.

6 SEC. 4. Section 84222 is added to the Government Code, to
7 read:

8 84222. (a) For purposes of this section and Section 82015,
9 “nonprofit or other multipurpose organization” means a nonprofit
10 organization formed and operated under Section 501(c)(3),
11 501(c)(4), 501(c)(5), or 501(c)(6) of the Internal Revenue Code,
12 a federal or out-of-state political organization, or an unincorporated
13 association.

14 (b) A nonprofit or other multipurpose organization that qualifies
15 as a committee under Section 82013 shall file the campaign
16 statements required by this title and shall disclose the portion of
17 its activities devoted to California state and local elections. The
18 organization’s campaign statements shall report its contributions
19 and expenditures to support or oppose state and local candidates
20 and ballot measures in California and shall itemize the sources of
21 funds used to make those contributions and expenditures, including,
22 but not limited to, donors and dues-paying members.

23 (c) A donor who makes a contribution described in subdivision
24 (i) of Section 82015 to a nonprofit or other multipurpose
25 organization that qualifies as a committee shall be identified and
26 reported by the organization that receives the contribution in
27 accordance with regulations adopted by the Commission. The
28 ~~Commission’s regulations shall provide that the nonprofit or other~~
29 ~~multipurpose organization shall identify each donor who requests~~
30 ~~or knows that the donor’s payment will be used by the organization~~
31 ~~to make a contribution or an expenditure to support or oppose a~~
32 ~~candidate or ballot measure in California. California and shall~~
33 ~~disclose the information required by subdivision (f) of Section~~
34 ~~84211 for each identified donor who donates one hundred dollars~~
35 ~~(\$100) or more in a calendar year. The Commission’s regulations~~
36 ~~shall further provide that the nonprofit or other multipurpose~~
37 ~~organization shall identify other donors to the organization based~~
38 ~~on a “last in, first out” accounting method, and shall specify the~~
39 ~~formula for that determination disclose the information required~~
40 ~~by subdivision (f) of Section 84211 for each donor identified~~

1 *pursuant to that method who made a single donation payment of*
 2 *one thousand dollars (\$1,000) or more.* However, a donor need
 3 not be reported as a contributor pursuant to this section if the
 4 organization has evidence that clearly establishes specific
 5 circumstances demonstrating that the donor did not know or have
 6 reason to know that its payment would be used to fund a
 7 contribution or expenditure.

8 (d) A nonprofit or other multipurpose organization that qualifies
 9 as a committee and discloses its activities devoted to California
 10 elections pursuant to this section shall, on the organization's
 11 statement of organization filed pursuant to Section 84102, indicate
 12 that organization's tax-exempt or other organizational status,
 13 describe the organization's mission or most significant activities,
 14 and describe the organization's political activities.

15 (e) A nonprofit or other multipurpose organization that qualifies
 16 as a committee and files campaign statements required by this title
 17 to disclose its activities devoted to California elections shall state
 18 ~~the total dollar amount of, and the percentage of its total~~
 19 ~~expenditures devoted to; contributions and expenditures supporting~~
 20 ~~or opposing California candidates or ballot measures during the~~
 21 ~~preceding calendar year on its semi-annual campaign statement~~
 22 ~~due on January 31 for the period commencing July 1 and ending~~
 23 ~~December 31, and on its Internet Web site, if any. 31.~~

24 (f) A person shall not use a nonprofit or other multipurpose
 25 organization as an intermediary or agent for the purpose of making
 26 a contribution on behalf of that person without providing to the
 27 organization all of the information required to be disclosed by
 28 Section 84302. A nonprofit or other multipurpose organization
 29 shall disclose the identity of a person for whom the organization
 30 is acting as an intermediary or agent to the recipient of the
 31 contribution, as well as all other information required by Section
 32 84302. The nonprofit or other multipurpose organization shall not
 33 knowingly conceal the name of a donor for whom the organization
 34 makes a contribution as an intermediary or agent for the purpose
 35 of withholding information required to be made public under this
 36 title.

37 SEC. 5. Section 84223 is added to the Government Code, to
 38 read:

39 84223. (a) A committee primarily formed to support or oppose
 40 a *state* ballot measure or *state* candidate that raises one million

1 dollars (\$1,000,000) or more for an election shall maintain an
2 accurate list of the committee's top 10 contributors, as specified
3 by Commission regulations. A current list of the top 10 contributors
4 shall be provided to the Commission for disclosure on the
5 Commission's Internet Web site, as provided in subdivision (c).

6 (b) (1) Except as provided in paragraph (4), the list of top 10
7 contributors shall identify the names of the 10 persons who have
8 made the largest cumulative contributions to the committee, the
9 total amount of each person's contributions, the city and state of
10 the person, the person's committee identification number, if any,
11 and any other information deemed necessary by the Commission.
12 *If any of the top 10 contributors identified on the list are*
13 *committees pursuant to subdivision (a) of Section 82013, the*
14 *Commission may require, by regulation, that the list also identify*
15 *the top 10 contributors to those contributing committees.*

16 (2) (A) A committee primarily formed to support or oppose a
17 state ballot measure shall count the cumulative amount of
18 contributions received by the committee from a person for the
19 period beginning 12 months prior to the date the committee made
20 its first expenditure to qualify, support, or oppose the measure and
21 ending with the current date.

22 (B) A committee primarily formed to support or oppose a state
23 candidate shall count the cumulative amount of contributions
24 received by the committee from a person for the primary and
25 general elections combined.

26 (3) The aggregation rules of Section 85311 and any
27 implementing regulations adopted by the Commission shall apply
28 in identifying the persons who have made the top 10 cumulative
29 contributions to a committee.

30 (4) A person who makes contributions to a committee in a
31 cumulative amount of less than ten thousand dollars (\$10,000)
32 shall not be identified or disclosed as a top 10 contributor to a
33 committee pursuant to this section.

34 (c) (1) The Commission shall adopt regulations to govern the
35 manner in which the Commission shall display top 10 contributor
36 lists provided by a committee that is subject to this section, and
37 the Commission shall post the top 10 contributor lists on its Internet
38 Web site in the manner prescribed by those regulations. The
39 Commission shall provide the top 10 contributor lists to the
40 Secretary of State, upon the request of the Secretary of State, for

1 the purpose of additionally posting the contributor lists on the
2 Secretary of State's Internet Web site.

3 (2) A committee shall provide an updated top 10 contributor
4 list to the Commission when any of the following occurs:

5 (A) A new person qualifies as a top 10 contributor to the
6 committee.

7 (B) A person who is an existing top 10 contributor makes
8 additional contributions to the committee.

9 (C) A change occurs that alters the relative ranking order of the
10 top 10 contributors.

11 (3) The 10 persons who have made the largest cumulative
12 contributions to a committee shall be listed in order from largest
13 contribution amount to smallest amount. If two or more
14 contributors of identical amounts meet the threshold for inclusion
15 in the list of top 10 contributors, the order of disclosure shall be
16 made beginning with the most recent contributor of that amount.

17 (4) The Commission shall post or update a top 10 contributor
18 list within five business days or, during the 16 days before the
19 election, within 48 hours of a contributor qualifying for the list or
20 of any change to the list.

21 (d) In listing the top 10 contributors, a committee shall use
22 reasonable efforts to identify and state the actual individuals or
23 corporations that are the true sources of the contributions made to
24 the committee from other persons or committees.

25 (e) In addition to any other lists that the Commission is required
26 to post on its Internet Web site, the Commission shall compile,
27 maintain, and display on its Internet Web site a current list of the
28 top 10 contributors supporting and opposing each state ballot
29 measure, as prescribed by Commission regulations.

30 SEC. 6. Section 88001 of the Government Code is amended
31 to read:

32 88001. The ballot pamphlet shall contain all of the following:

33 (a) A complete copy of each state measure.

34 (b) A copy of the specific constitutional or statutory provision,
35 if any, that would be repealed or revised by each state measure.

36 (c) A copy of the arguments and rebuttals for and against each
37 state measure.

38 (d) A copy of the analysis of each state measure.

1 (e) Tables of contents, indexes, art work, graphics, and other
2 materials that the Secretary of State determines will make the ballot
3 pamphlet easier to understand or more useful for the average voter.

4 (f) A notice, conspicuously printed on the cover of the ballot
5 pamphlet, indicating that additional copies of the ballot pamphlet
6 will be mailed by the county elections official upon request.

7 (g) A written explanation of the judicial retention procedure as
8 required by Section 9083 of the Elections Code.

9 (h) The Voter Bill of Rights pursuant to Section 2300 of the
10 Elections Code.

11 (i) If the ballot contains an election for the office of United
12 States Senator, information on candidates for United States Senator.
13 A candidate for United States Senator may purchase the space to
14 place a statement in the state ballot pamphlet that does not exceed
15 250 words. The statement may not make any reference to any
16 opponent of the candidate. The statement shall be submitted in
17 accordance with timeframes and procedures set forth by the
18 Secretary of State for the preparation of the state ballot pamphlet.

19 (j) If the ballot contains a question as to the confirmation or
20 retention of a justice of the Supreme Court, information on justices
21 of the Supreme Court who are subject to confirmation or retention.

22 (k) If the ballot contains an election for the offices of President
23 and Vice President of the United States, a notice that refers voters
24 to the Secretary of State's Internet Web site for information about
25 candidates for the offices of President and Vice President of the
26 United States.

27 (l) A written explanation of the appropriate election procedures
28 for party-nominated, voter-nominated, and nonpartisan offices as
29 required by Section 9083.5 of the Elections Code.

30 (m) A written explanation of the top 10 contributor lists required
31 by Section 84223, including a description of the Internet Web sites
32 where those lists are available to the public.

33 SEC. 7. No reimbursement is required by this act pursuant to
34 Section 6 of Article XIII B of the California Constitution because
35 the only costs that may be incurred by a local agency or school
36 district will be incurred because this act creates a new crime or
37 infraction, eliminates a crime or infraction, or changes the penalty
38 for a crime or infraction, within the meaning of Section 17556 of
39 the Government Code, or changes the definition of a crime within

1 the meaning of Section 6 of Article XIII B of the California
2 Constitution.
3 SEC. 8. The Legislature finds and declares that this bill furthers
4 the purposes of the Political Reform Act of 1974 within the
5 meaning of subdivision (a) of Section 81012 of the Government
6 Code.

O